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EXAMINER

FRENEL, VANEL

ART UNIT

PAPER NUMBER

3626

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/616,472

Applicant(s)

DURAND, WHITNEY

Examiner

Vanel Frenel

Art Unit

3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-174 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-174 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the application filed 07/14/00. Claims 1-174 are pending.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-13, 17-30, 32, 37-72, 75, 77-114, 115-130, 138-150, 153, and 155-174 are rejected under 35 U.S.C. 101 because the claimed invention are directed to non-statutory subject matter.

The basic of this rejection is set forth in a two-prong test of :

- (1) whether the invention is within the technology arts; and
- (2) whether the invention produces a useful, concrete, and tangible result.

For a claimed invention to be statutory, the claimed invention must be within the technology arts. More ideas, in the abstract (i.e., abstract idea, law of nature, natural phenomena) that do not apply, involve, use, or advance the technological arts to promote the “progress science and the useful arts” (i.e., the physical sciences as opposed to social sciences, for example) and therefore are found to be non-statutory subject matter. For a process claim to pass muster, the recited process must somehow apply, involve, use, or advance the technological arts. Looking at the claims 1-13, 17-30, 32, 37-72, 75, 77-114, 115-130, 138-150, 153, and 155-174

Art Unit: 3626

as a whole, nothing in the body of the claims recite any structure of functionality to suggest that a computer performs the recited steps.

Examiner respectfully requests a common usage such as “ a computer readable-medium” or a “computer system” are well taken to be within the statutory categories within 35 U.S.C. 101 and therefore recommends using such terminologies.

As such, the above deficiencies may be cured by simply explicitly reciting that the claimed method /process steps are embodied or implemented on a “computer system” or on a “computer readable-medium” (as appropriate), provided Applicant show proper support for such recitations in the originally filed specification.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-174 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arbuckle (5,651,117) in view of Slotznick (5,983,200).

(A) As per claim 1, Arbuckle discloses a service component for receiving, storing, and transmitting information (Col.4, lines 16-41), wherein:

said service component comprises at least one information set, each of said at least one information set corresponding to one of said plurality of participants (Col.4, lines 16-41); and

Art Unit: 3626

said information set comprises end-of-life information chosen by said participant (Col.5, lines 1-46), said end-of-life information having a type selected from the group consisting of raw data and an election (Col.6, lines 15-40).

Arbuckle does not explicitly disclose a system for providing a plurality of participants with the ability to effect choices about care of said participants, said choices determined by said participants said system.

However, this feature is known in the art, as evidenced by Slotznick. In particular, Slotznick suggests a system for providing a plurality of participants with the ability to effect choices about care of said participants, said choices determined by said participants said system (See Slotznick, Col.5, lines 58-67 to Col.6, line 67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Slotznick within the system of Arbuckle with the motivation of providing a system which serves as an intelligent agent, expedites electronically placed orders, purchases deliveries or production instructions for a variety of goods and services and carries out various delegated tasks (See Slotznick, Col.3, lines 52-56).

(B) As per claims 2 and 63, Arbuckle discloses the system wherein said information set further comprises administrative information (Col.6, lines 15-56).

(C) As per claims 3 and 64, Arbuckle discloses the system wherein said administrative information is selected from the group consisting privacy information (Col.6, lines 41-44); security information; a participant identification parameter (Col.4, lines 28-37); a unique

Art Unit: 3626

identification parameter (Col.4, lines 28-41); a link to another participant (Col.4, lines 16-41); payment account information (Col.37-41); a customer service note (Col.4, lines 28-41); and event log information (Col.2, lines 55-67). Note that this limitation has been met by Markush group (i.e., alternative limitation), and incorporated herein.

(D) As per claims 4, 18, 56, 65, 95 and 103, Arbuckle discloses the system wherein said end-of-life information is selected from the group consisting of: an authorization to rely on a copy of an original document (Col. 1, lines 9-67) an authorization of at least one medication; a designation of at least one allergy; a designation of at least one health condition; a designation of at least one person to be contacted in case of emergency; a designation of at least one physician; emergency health information; an end-of-life choice; an advance directive; a document signed by a physician concerning medical care associated with an end-of-life condition; an authorization to donate an organ; output recipient information; enforcement information; medical information; and a portion of an item selected from the group consisting of a through p, above.

(E) As per claims 5, 19, 57, 66, 96 and 104, Arbuckle discloses the system wherein when said end-of-life information is medical information, said medical information corresponds to said participant and is selected from the group consisting a. at least a portion of a medical record at

Art Unit: 3626

least a portion of a laboratory report (Col.2, lines 31-52) Note that this limitation has been met by Markush group (i.e., alternative limitation), and incorporated herein; and at least a portion of a medical image.

(F) As per claims 6, 20, 58, 67, 97 and 105, Arbuckle discloses the system wherein, when said end-of-life information is an end-of-life choice, said end-of-life choice is a choice selected from the group consisting of a palliative care choice a comfort care choice, a residence choice; a religious choice a funeral arrangement choice (Col.1, lines 56-67 to Col.2, line 4); a non-medical choice.

(G) As per claims 7, 21, 59, 68, 98 and 106, Arbuckle discloses the system wherein, when said end-of-life information is an advance directive, said advance directive is an advance directive selected from the group consisting a living will (Col.2, lines 35-52); Note that this limitation has been met by Markush group (i.e., alternative limitation), and incorporated herein. a medical power of attorney ; a selection of an end-of-life condition response a selection of medical treatment a refusal of medical treatment.

(H) As per claims 8, 22, 60, 69, 99 and 107, Slotznick discloses the system wherein, when said end-of-life information is enforcement information, said enforcement information comprises a designation of at least one primary language (Col.2, lines 64-67 to Col.3, line 6).

Art Unit: 3626

(I) As per claims 9, 23, 61, 70, 100 and 108, Arbuckle discloses the system wherein, when said end-of-life information is enforcement information, said enforcement information comprises a designation of at least one prospective enforcement jurisdiction (Col.6, lines 15-40).

(J) As per claims 10, Arbuckle discloses the system further comprising an information input interface wherein said end-of-life information is conveyed from an input user to said service component via said information input interface (Col.4, lines 42-50).

(K) As per claims 11, 12, 84, 86, 92 and 112, Arbuckle discloses the system wherein said input user is said participant (Col.4, lines 42-59).

(L) As per claims 12 and 113 Arbuckle discloses the system wherein said input user is an agent of said participant (Col.4, lines 16-59).

(M) As per claim 13, Arbuckle discloses the system wherein said information input interface conveys a hardcopy form (Col.4, lines 60-67).

(N) As per claims 14,32 and 33,Arbuckle discloses the system wherein said information input interface conveys an electronic form (Col.4, lines 60-67).

(O) As per claims 15 and 34,Arbuckle discloses the system wherein said input information input interface conveys an electronic data stream (The Examiner interprets these reports and

Art Unit: 3626

associated information may be entered into the system manually or received by modem 122 in digital form as a form of data stream Col.4, lines 52-54).

(P) As per claims 16 and 31, Arbuckle discloses the system wherein said information input interface conveys said end-of-life information from a device selected from the group a stationary telephone, a portable telephone, a cellular telephone, a mobile telephone, the Internet, a personal computer (Col.4, lines 16-27); Note that this limitation has been met by Markush group (i.e., alternative limitation), and incorporated herein a facsimile machine, a smart card, a personal data assistant, a handheld computer, a computer-to-computer link, a modem, a wireless transceiver; and voicemail.

(Q) As per claims 17 and 37, Slotznick discloses the system wherein said service component comprises an information product producer, said information product producer using said end-of-life information to produce an information product (Col.6, lines 11-67).

The motivation for combining the respective teachings of Arbuckle and Slotznick are as discussed above in the rejection of claim 1, and incorporated herein.

(R) As per claim 24, Slotznick discloses the system wherein: said information product has at least one prospective output recipient (Col.14, lines 14-67 to Col.15, line 27); each of said at least one prospective output recipient has a primary language (Col.3, lines 167); said information product has an information product language (Col3, lines 1-67); and said

Art Unit: 3626

information product language substantially corresponds to said primary language (Col.3, lines 1-67).

(S) As per claims 25, 28, 109 and 110, Arbuckle discloses the system wherein said information product language is selected by an input user (Col.4, lines 16-59).

(T) As per claim 26, Arbuckle discloses the system wherein said information product language is selected by an output user (Col.4, lines 16-59).

(U) As per claim 30, Arbuckle discloses the system of claim 17 further comprising an information output interface wherein said information product is conveyed from said service component to an output user via said information output interface (Col.4, lines 16-59).

(V) As per claim 32, Arbuckle discloses the system of claim wherein said information product is a document (Col.4, lines 16-67 to Col.5, line 67).

(W) As per claim 33, Arbuckle discloses the system of wherein said information product is an electronic document (Col.4, lines 16-67 to Col.5, line 67).

(X) As per claim 35, Arbuckle discloses the system wherein said information product is an optical data stream (Col.4, lines 16-67 to Col.5, line 67).

Art Unit: 3626

(Y) As per claim 36, Arbuckle discloses the system wherein said information product is an electromagnetic data stream (Col.4, lines 16-67 to Col.5, line 67).

(Z) As per claims 38, 47 and 52, Arbuckle discloses wherein said guidance information comprises a description of a plan for care associated with an end-of-life condition (Col.2, lines 32-52).

(AA) As per claims 39, 41 and 140, Arbuckle discloses the system wherein said guidance information comprises a suggested designation of a key person (Col.2, lines 55-67).

(BB) As per claim 40, Arbuckle discloses the system wherein said key person is selected from the group consisting of: a family member of said participant a friend of said participant (Col.9, lines 35-67); a professional counselor of a physician; a lawyer; and a spiritual adviser.

(CC) As per claims 42 and 44, Arbuckle discloses the system wherein said guidance information further comprises a suggested designation of a key institution (Col.9, lines 55-67 to Col.10, line 67).

(DD) As per claim 43, Arbuckle discloses the system wherein said key institution is selected from the group consisting of: an emergency facility, a hospital (Col.2, lines 45-52) a nursing home; a retirement home; a hospice, a long-term care facility; and a health care facility.

Art Unit: 3626

(EE) As per claim 45, Arbuckle discloses the system wherein said service component provides an input form to said user for subsequent submission to said service component (Col.3, lines 14-34).

(FF) As per claim 46, Slotznick discloses the system wherein said input form is selected from the group consisting of an executable document and an election form (Col.5, lines 58-67 to Col.6, line 31).

(GG) As per claim 48, Arbuckle discloses the system wherein said end of-life condition is a medical condition (The Examiner interprets the word “hospital” to be a place where we meet all health problems, impairments, characteristics etc.) as a form of medical condition See Col.2, lines 32-52).

(HH) As per claim 49, Arbuckle discloses the system wherein said end -of-life condition is an emergency condition (The Examiner interprets the word “hospital” to be a place where we meet all health problems, impairments, characteristics etc.) as a form of emergency condition See Col.2, lines 32-52).

(II) As per claim 50, Arbuckle discloses the system wherein said guidance information comprises a designation of at least one end-of-life condition response (The Examiner interprets “death” as a form of end-of-life condition response See Col.2, lines 32-52).

Art Unit: 3626

(JJ) As per claim 51, Arbuckle discloses the system wherein at least one of said at least one end-of-life condition response is a medical treatment (The Examiner interprets the word “hospital” to be a place where we all health problems can be cured and treated etc.) as a form of medical treatment See Col.2, lines 32-52).

(KK) As per claim 52, Arbuckle discloses the system wherein said guidance information comprises a designation of at least one end-of-life condition (The Examiner interprets the word “death” as a form of end-of-life condition See Col.2, lines 32-52). And a designation of at least one end-of-life condition response; wherein said input user can elect at least one of said at least one end-of-life response for response to at least one of said at least one end-of-life condition (The Examiner interprets the word “death” as a form of end-of-life condition See Col.2, lines 32-52).

(LL) As per claim 53, Arbuckle discloses the system wherein said guidance information further comprises a designation of at least one combination of an end-of-life condition and at least one end-of-life condition response (The Examiner interprets “death” as a form of end-of-life condition response no matter which combination someone has been selected See Col.2, lines 32-52).

(MM) As per claim 54, Arbuckle discloses the system wherein said at least one combination comprises a designation of at least 56 combinations of at least one end-of-life condition and at least one end-of-life condition response (The Examiner interprets “death” as a form of end-of-

Art Unit: 3626

life condition response no matter which combination someone has been selected See Col.2, lines 32-52).

(NN) As per claim 55, Arbuckle discloses the system wherein: said information input guide provides guidance information to said input user; and said information input guide receives said end-of-life information from said participant (Col.9, lines 35-67).

(OO) As per claim 62, Arbuckle discloses the system wherein said service component further comprises an information storage registry, said information storage registry storing said at least one information set (Col.4, lines 16-67).

(PP) As per claim 71, Arbuckle discloses the system wherein said end-of-life information has a format and said format is standard (Col.4, lines 16-67).

(QQ) As per claim 72, Arbuckle discloses the system wherein said end-of-life information has a format and said format is non-standard (The Examiner interprets the system is also capable of receiving new and additional instructions from the customer. These would typically consist in changes of address, changes in the means by which death notice is to be transmitted and additional names and addresses of persons of whose deaths the customer wishes to be notified as a form of non-standard See Col.4, lines 16-67).

Art Unit: 3626

(RR) As per claim 73, Arbuckle discloses the system wherein said information set comprises information in an electronically readable format (The Examiner interprets the system is also capable of receiving new and additional instructions from the customer. These would typically consist in changes of address, changes in the means by which death notice is to be transmitted and additional names and addresses of persons of whose deaths the customer wishes to be notified as a form of non-standard See Col.4, lines 16-67 to Col.5, line 67).

(SS) As per claim 74, Arbuckle discloses the system wherein said information set comprises information in an optically readable format (Col.4, lines 16-67).

(TT) As per claim 75, Arbuckle discloses the system of wherein said service component further comprises an interface for accessing reference information (Col.4, lines 16-41).

(UU) As per claim 76, Arbuckle discloses the system wherein said reference information is an electronic medical record (The Examiner interprets the word "hospital" to be a facility where most of the information can be transmitted electronically so does the medical record See Col.2, lines 32-52).

(VV) As per claim 77, Arbuckle discloses the system wherein said reference information is guideline information (Col.4, lines 16-59).

Art Unit: 3626

(WW) As per claim 78, Arbuckle discloses the system wherein said guideline information is a medical protocol (Col.2, lines 32-52).

(XX) As per claim 79, Arbuckle discloses the system wherein said guideline information is information from a physician's practice management program (The Examiner interprets the word "hospital" to be a form of information from a physician's practice management program See Col.2, lines 32-52).

(YY) As per claim 80, Arbuckle discloses the system wherein said service component further comprises an interface for accessing a tool for an analysis of said at least one information set (Col.4, lines 42-59; Col.11, line 41-63).

(ZZ) As per claims 81 and 82, Arbuckle discloses the system wherein said analysis is a measurement of an outcome for a treatment (The Examiner interprets the word "hospital" to be a form of measurement of an outcome for a treatment See Col.2, lines 32-52).

(AAA) As per claim 83, Arbuckle discloses the system wherein said analysis is a comparison between a first treatment and a second treatment (The Examiner interprets the word "hospital" to be a form of a first treatment and a second treatment See Col.2, lines 32-52).

Art Unit: 3626

(BBB) As per claim 85, Arbuckle discloses the system wherein said analysis is a comparison between a first organ and a second organ (The Examiner interprets the word “hospital” to be a form of between a first organ and a second organ See Col.2, lines 32-52).

(CCC) As per claim 87, Arbuckle discloses the system wherein said analysis is an analysis of drug interactions (The Examiner interprets the word “hospital” to be a form of an analysis of drug interactions See Col.2, lines 32-52).

(DDD) As per claim 88, Arbuckle discloses the system wherein said analysis is an analysis of a relationship between at least one first illness and at least one second illness (The Examiner interprets the word “hospital” to be a form of a relationship between at least one first illness and at least one second illness (The Examiner interprets the word “hospital” to be a form See Col.2, lines 32-52).

(EEE) As per claim 89, Arbuckle discloses the system wherein said analysis is an analysis of a relationship between at least one first injury and at least one second injury (The Examiner interprets the word “hospital” to be a form of a relationship between at least one first injury and at least one second injury (See Col.2, lines 32-52).

(FFF) As per claim 90, Arbuckle discloses the system wherein said analysis is an analysis of a relationship between at least one illness and at least one injury (The Examiner interprets the

Art Unit: 3626

word “hospital” to be a form of a relationship between at least one illness and at least one injury (See Col.2, lines 32-52).

(GGG) As per claim 91, Arbuckle discloses the system wherein said analysis is for medical research (The Examiner interprets the word “hospital” to be a form of medical research (See Col.2, lines 32-52).

(HHH) As per claim 93, Arbuckle discloses the system wherein said analysis is an analysis of a situation in which an end-of-life information product is employed (Col.7, lines 52-67 to Col.8, line15).

(III) As per claim 94, Arbuckle discloses the system wherein said service component comprises an information product request processor, said information product request processor receiving a request for a first information product from an output user, said first information product corresponding to said participant, and transmitting said first information product to an output recipient in response to said request (Col.4, lines 16-67).

(JJJ) As per claim 101, Arbuckle discloses the system wherein said output recipient is selected from the group consisting of said output user, a key person, a medical services provider, an agent of a key institution, and an individual invested with medical power of attorney by said participant (Col.2, lines 32-52).

Art Unit: 3626

(KKK) As per claim 102, Arbuckle discloses the system wherein said information product request processor transmits said first information product in response to said request only when said output user is an authorized output user (Col.4, lines 16-67).

(LLL) As per claim 114, Arbuckle discloses memory equipment, said memory equipment storing at least one information set corresponding to each of said plurality of participants (Col.11, lines 41-67 to Col.12, line 67), said information set comprising end-of-life information chosen by said participant (Col.4, lines 16-67).

Arbuckle does not explicitly disclose an apparatus for providing a plurality of participants with the ability to effect choices about care of said participants, said choices determined by said participants.

However, this feature is known in the art, as evidenced by Slotznick. In particular, Slotznick suggests an apparatus for providing a plurality of participants with the ability to effect choices about care of said participants, said choices determined by said participants (See Slotznick, Col.5, lines 58-67 to Col.6, line 67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Slotznick within the system of Arbuckle with the motivation of providing a system which serves as an intelligent agent, expedites electronically placed orders, purchases deliveries or production instructions for a variety of goods and services and carries out various delegated tasks (See Slotznick, Col.3, lines 52-56).

(MMM) As per claim 115, Arbuckle discloses the further comprising:

input equipment, said input equipment allowing a user corresponding to said participant to input end-of-life information, said end-of-life information chosen from the group consisting of raw data and an election (Col.6, lines 15-40); and output equipment, said output equipment enabling an output user to request an information product, said output product produced from said end-of-life information (Col.4, lines 16-67).

(NNN) As per claim 116, Arbuckle discloses enabling said user to choose end-of-life information (Col.2, lines 32-52); and using said end-of-life information, producing at least one end-of-life information product (Col.7, lines 52-67 to Col.8, line 67).

Arbuckle does not explicitly disclose a method for enabling a plurality of participants to effect choices about care of said participants (See Slotznick, Col.5, lines 58-67 to Col.6, line 67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Slotznick within the system of Arbuckle with the motivation of providing a system which serves as an intelligent agent, expedites electronically placed orders, purchases deliveries or production instructions for a variety of goods and services and carries out various delegated tasks (See Slotznick, Col.3, lines 52-56).

(OOO) As per claim 121, Slotznick discloses the method further comprising responding to a request from an output user for said information product, said producing occurring in response to said responding (Col.6, lines 11-67).

The motivation for combining the respective teachings of Arbuckle and Slotznick are as discussed above in the rejection of claim 116, and incorporated herein.

(PPP) As per claim 124, Slotznick discloses the method further comprising responding to a request from an output user for said information product, said producing occurring in response to said responding (Col.6,lines 11-67).

The motivation for combining the respective teachings of Arbuckle and Slotznick are as discussed above in the rejection of claim 116, and incorporated herein.

(QQQ) As per claim 126, Slotznick discloses the method wherein, when said enabling enables said user to choose a designation of at least one primary language, said enabling enables an input user to choose said designation (Col.2, lines 30-67 to Col.3, line 43).

The motivation for combining the respective teachings of Arbuckle and Slotznick are as discussed above in the rejection of claim 116, and incorporated herein.

(RRR) As per claim 127, Slotznick discloses the method wherein, when said enabling enables said user to choose a designation of at least one primary language, said enabling enables an output user to choose said designation (Col.6, lines 1-67).

The motivation for combining the respective teachings of Arbuckle and Slotznick are as discussed above in the rejection of claim 116, and incorporated herein.

(SSS) As per claim 129, Slotznick discloses the method wherein, when said enabling enables said user to choose a designation of at least one prospective enforcement jurisdiction, said

Art Unit: 3626

enabling enables an input user to choose said designation (Col.2, lines 30-67 to Col.3, line 43; Col.5, line 58-67 to Col.6, line 67).

The motivation for combining the respective teachings of Arbuckle and Slotznick are as discussed above in the rejection of claim 116, and incorporated herein.

(TTT) As per claim 130, Slotznick discloses the method wherein, when said enabling enables said user to choose a designation of at least one prospective enforcement jurisdiction, said enabling enables an output user to choose said designation (Col.2, lines 30-67 to Col.3, line 43; Col.5, line 58-67 to Col.6, line 67).

The motivation for combining the respective teachings of Arbuckle and Slotznick are as discussed above in the rejection of claim 116, and incorporated herein.

UUU) As per claim 147, Slotznick discloses the method further comprising receiving said end-of-life election information from said user (Col.6, lines 11-45).

The motivation for combining the respective teachings of Arbuckle and Slotznick are as discussed above in the rejection of claim 116, and incorporated herein.

(VVV) As per claim 166, Arbuckle discloses the method of wherein said providing comprises providing access to a tool for analyzing a choice concerning end-of-life information, said choice made by said participant (Col.4, lines 42-59).

Art Unit: 3626

(WWW) As per claim 168, Slotznick discloses the method further comprising responding to a request from an output user for said information product, said producing occurring in response to said responding (Col.6, lines 11-67).

The motivation for combining the respective teachings of Arbuckle and Slotznick are as discussed above in the rejection of claim 116, and incorporated herein.

(XXX) As per claim 169, Slotznick discloses the method wherein said responding comprises transmitting said information product to a first output recipient (Col.6, lines 11-67).

The motivation for combining the respective teachings of Arbuckle and Slotznick are as discussed above in the rejection of claim 116, and incorporated herein.

(YYY) Claims 117-120, 122-123, 125, 128, 131-146, 148-165, 167 and 170-174 recite the underlying process steps of the elements of claims 2-113, and respectively. As the various elements of claims 2-113 have been shown to be either disclosed by or obvious in view of the collective teachings of Arbuckle and Slotznick, it is readily apparent that the apparatus disclosed by the applied prior art performs the recited underlying functions. As such, the limitations recited in claims 117-120, 122-123, 125, 128, 131-146, 148-165, 167 and 170-174 are rejected for the same reasons given above for the system claims 2-113, and incorporated herein.

Art Unit: 3626

Conclusion


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not applied art teaches posthumous communication (2002/0072925), system and method of planning a funeral (2002/0004757).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is 703-305-4952. The examiner can normally be reached on 6:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 703-305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

V.F
V.F
July 14, 2003


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